

SECRET

In re Application of: Bradley

Serial No.: 09/612,810

Filed: July 10, 2000

Title: Apparatus and Method for Deploying
Geotextile Tubes

Commissioner for Patents
U.S. Patent and Trademark Office
Washington, D.C. 20231

Sir:

The following completes the filing of the above-identified patent application under Rule 53(f)/63:

- [X] Rule 53 signed Declaration enclosed.
- [] This is a Rule 47 filing per attached Petition.
- [] Enclosed: Original signed Declaration with attached specification (including claims) which is a copy of specification/claims originally filed to secure above filing date.
- [] Specification originally filed in non-English language; hence verified translation attached of:
- [] Abstract [] pgs of Specification (only spec. & claims) [] Drawing Figs _____
- [] _____ sheet(s) of formal drawings enclosed: size: [] A4 [] 14" [] 8 1/2 by 11
- [] Attached is an assignment to _____
- [] Priority is hereby claimed under Rule 55 and 35 U.S.C. 119 based on prior foreign application(s) No(s) _____, respectively, filed in _____ on _____, respectively.
- Certified copy (copies) [] attached; [] already filed on _____ in U.S. Application, Serial No. _____, filed _____.
- [X] Attached: _____ Verified Statement(s) establishing "small entity" status under Rules 9 & 27.
- [X] Attached is the requested return copy of the PTO Notice under Rule 53(f)/63
- [] Attached:
- [] Preliminary Amendment:

**THE FOLLOWING FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY ABOVE CANCELLED
PER MPEP § 506 AND § 607**

If not earlier paid, add Basic Filing Fee.....	\$ 710.00
Total Effective Claims <u>44</u> - 20 = <u>24</u> x \$18.00 =	432.00
Independent Claims <u>11</u> 3 = <u>8</u> x \$80.00 =	640.00
If <u>any proper</u> multiple dependent claim (ignore improper) is present, add \$270.00	
Filing Fee	\$ _____

Since PTO Notice under Rule 53(f)/63 set an original due date of _____, petition is hereby made for an extension to cover the date this response is filed for which the requisite fee is enclosed (1 month \$110; 2 months \$390; 3 months \$890; 4 months \$1390)

If this is the <u>first</u> time either signed Declaration filed or filing fee paid, add Surcharge (\$130)	\$ 130.00
Subtotal	\$1912.00
If "small entity" status box above is X'd, enter half (1/2) of subtotal & <u>subtract</u>	\$ 956.00
Total =	\$ 956.00

If "non-English" box above is X'd, add Rule 17(k) processing fee (\$130.00)..... \$ _____

If "assignment" box above is X'd, add recording fee (\$40.00)..... \$ _____

If "Rule 47" box above is X'd, add Petition fee \$130.00 Rule 17(h)..... \$ _____

TOTAL FEE ENCLOSED \$ 956.00

The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any fees in addition to the fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (deficiency only) now or hereafter relative to this application and the resulting official document under Rule 20, or credit any overpayment, to our Account No. shown in the heading hereof for which purpose a duplicate copy of this sheet is attached. This statement does not authorize charge of the issue fee in this case.

ADDRESS: DORITY & MANNING
ATTORNEYS AT LAW, P.A.
Suite 15, 700 E. North Street
Greenville, South Carolina 29601 By Atty: John E. Vick, Jr. Reg. No. 33,808
(864) 271-1592
FAX (864) 233-7342 Signature _____

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Commissioner for Patents, U.S. Patent and Trademark Office, Washington, D.C. 20231, on

January 15, 2001

Terry Ballew

(Typed or printed name of person mailing paper or fee)

Terry Ballew

(Signature of person mailing paper or fee)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Re: Appeal to the Board of Patent Appeals and Interferences

In re Application of:) Examining Attorney: Raymond W. Addie
 ANTHONY S. BRADLEY)
) Group Art Unit: 3671
 Serial No.: 09/612,810)
) Our Customer ID: 22827
 Filed: July 10, 2000)
) Our Account No.: 04-1403

Title: APPARATUS AND METHOD FOR DEPLOYING GEOTEXTILE TUBES

Sir:

1. ☐ **NOTICE OF APPEAL:** Pursuant to 37 CFR 1.191, Applicant hereby appeals to the Board of Appeals from the decision dated ____ of the Examiner twice/finally rejecting claims ____.
2. ☒ **CORRECTED BRIEF** on appeal in this application pursuant to 37 CFR 1.192 is transmitted herewith in triplicate.
3. ☐ An **ORAL HEARING** is respectfully requested under 37 CFR 1.194 (due within one month after Examiner's Answer).
4. ☐ Reply Brief under 37 CFR 1.193(b) is transmitted herewith in triplicate.
5. ☐ "Small entity" verified statement filed: ☐ herewith ☐ previously.
6. **FEE CALCULATION:**

If box 1 above is X'd enter \$330.00
 If box 2 above is X'd enter \$330.00 (PREVIOUSLY SUBMITTED)
 If box 3 above is X'd enter \$290.00
 If box 4 above is X'd enter -0- (no fee)

	Fees
\$	-0-
\$	-0-
\$	-0-
\$	-0-

Petition is hereby made to extend the original due date of _____ to cover the date of this paper and any enclosure for which the requisite fee is (1 month \$110); (2 months \$420); (3 months \$950); (4 months \$1,480).

Subtotal	\$ -0-
	\$ -0-

Less any previous extension fee paid since above original due date.

Subtotal	- \$ -0-
	\$ -0-

If "small entity" box 5 above is X'd, enter one-half (1/2 of subtotal and subtract)

TOTAL FEE \$	- \$ -0-
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- ☐ Fee enclosed.
- ☐ Charge fee to our Deposit Account/Order Nos. in the heading hereof (for which purpose one additional copy of this sheet is attached)
- ☒ Fee **NOT** required since paid in prior appeal in which the Board of Appeals did not render a decision on the merits.

The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any fees in addition to the fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (deficiency only) now or hereafter relative to this application and the resulting official document under Rule 20, or credit any overpayment, to our Account No. show in the heading hereof for which purpose a duplicate copy of this sheet is attached. This statement does not authorize charge of the issue fee in this case.

ADDRESS:

Post Office Box 1449
 Greenville, SC 29602 USA
 Customer ID No.: 22827
 Telephone: 864-271-1592
 Facsimile: 864-233-7342

DORITY & MANNING, ATTORNEYS AT LAW, P.A.

By: James M. Bagarazzi Reg. No.: 29,609
 Signature: James M. Bagarazzi
 Date: April 22, 2004



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/612,810	07/10/2000	Anthony S. Bradley	BIT-12

John E Vick Jr
Dority & Manning PA
Suite 15
700 East North Street
Greenville, SC 29601



RECEIVED

DEC 11 2000

DORITY AND MANNING

FORMALITIES LETTER



OC000000005598276

Date Mailed: 12/05/2000

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 345 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$528.
 - \$216 for 24 total claims over 20.
 - \$312 for 8 independent claims over 3.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 938.

09/612810
355.00
320.00
216.00
65.00

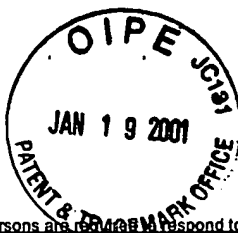
A copy of this notice MUST be returned with the reply

Aimar Sahie

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



PTO/SB/17 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$ 956.00)

Compleat if Known

Application Number	09/612,810
Filing Date	July 10, 2000
First Named Inventor	Bradley
Examiner Name	Not yet known
Group Art Unit	3673
Attorney Docket No.	BIT-12

METHOD OF PAYMENT

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 04-1403
Deposit Account Name Dority & Manning, P.A.

- ☒
- Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

- ☒
- Applicant claims small entity status. See 37 CFR 1.27

- 2.
- ☒
- Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 710	201 355	Utility filing fee	355.00
106 320	206 160	Design filing fee	
107 490	207 245	Plant filing fee	
108 710	208 355	Reissue filing fee	
114 150	214 75	Provisional filing fee	

SUBTOTAL (1) (\$ 355.00)

2. EXTRA CLAIM FEES

Total Claims 44 -20** = 24 X 9.00 = 216.00
Independent Claims 11 -3** = 8 X 40.00 = 320.00
Multiple Dependent =

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 80	202 40	Independent claims in excess of 3
104 270	204 135	Multiple dependent claim, if not paid
109 80	209 40	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 536.00)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	65.00
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for <i>ex parte</i> reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 390	216 195	Extension for reply within second month	
117 890	217 445	Extension for reply within third month	
118 1,390	218 695	Extension for reply within fourth month	
128 1,890	228 945	Extension for reply within fifth month	
119 310	219 155	Notice of Appeal	
120 310	220 155	Filing a brief in support of an appeal	
121 270	221 135	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,240	241 620	Petition to revive - unintentional	
142 1,240	242 620	Utility issue fee (or reissue)	
143 440	243 220	Design issue fee	
144 600	244 300	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Processing fee under 37 CFR 1.17(q)	
126 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 710	246 355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 710	249 355	For each additional invention to be examined (37 CFR § 1.129(b))	
179 710	279 355	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 65.00)

SUBMITTED BY

Name (Print/Type) John E. Vick, Jr.
Signature [Signature]

Registration No. 33,808
(Attorney/Agent)

Complete (if applicable)

Telephone 864-271-1592
Date Jan. 15, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.